

Senate File 202

H-1177

1 Amend Senate File 202, as passed by the Senate, as
2 follows:
3 1. Page 2, by striking line 7 and inserting:
4 <Sec. _____. Section 126.25, Code 2013, is amended by
5 striking the section and inserting in lieu thereof the
6 following:
7 **126.25 Human immunodeficiency virus home testing**
8 **kits — sales restrictions — penalties.**
9 1. A home testing kit for human immunodeficiency
10 virus antibody or antigen testing shall not be sold in
11 this state unless the sale complies with all of the
12 following requirements:
13 a. The home testing kit is sold by a licensed
14 pharmacy, and a pharmacist or pharmacy technician as
15 defined in section 155A.3 provides for the sale of the
16 home testing kit from a locked cabinet or from behind a
17 sales counter which is not accessible to the public.
18 b. A pharmacist or pharmacy technician consults
19 with the consumer prior to the sale and the
20 consultation includes informing the consumer of the
21 need to seek in-person follow-up with a health care
22 provider to obtain confirmation of and additional
23 information regarding any test results.
24 2. The Iowa department of public health, in
25 consultation with the board, shall adopt rules to
26 establish what constitutes a home testing kit for the
27 purposes of this section.
28 3. The board may seek injunctive relief pursuant to
29 section 126.4 restraining any person from violating the
30 provisions of this section. In addition, a pharmacy,
31 pharmacist, or pharmacy technician who violates this
32 section is subject to discipline pursuant to section
33 155A.12 or 155A.15, as applicable.>
34 2. Title page, line 2, after <health> by inserting
35 <and providing penalties>
36 3. By renumbering as necessary.

LUNDBY of Linn